

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed July 17, 2008. Claims 20-32 were pending in the present application. This Amendment amends claims 20, 22, 25, and 29, without adding or canceling any claims, leaving pending in the application claims 20-32. Reconsideration of the rejected claims is respectfully requested.

I. Rejection under 35 U.S.C. §102

Claims 20-32 are rejected under 35 U.S.C. §102(e) as being anticipated by *Freeman* (US 2007/0260980). Applicants respectfully submit that *Freeman* does not disclose each element of these claims.

Under 35 U.S.C. §102 "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully submit that *Freeman* does not disclose each and every element of Applicants' claim 20.

For example, Applicants' claim 20 as amended recites an email server for performing automatic capture archiving of electronic documents in a network environment, at least one client computer in the network environment being coupled over a network to at least one document management workstation having at least one database disposed to receive electronic copies of documents transferred over the network, the at least one document management workstation being in communication with at least one of a copy, print, and facsimile operation, said email server being operatively disposed to:

receive a copy of every email document transferred over the network from the at least one client computer, each email document being transferred over the network in response to a single user input command;

cause electronic image data to be generated for each received copy of an email document, the electronic image data being generated in a format acceptable for storage in the at least one database for the at least one document management workstation; and

cause the generated electronic image data to be stored in the at least one database to perform capture archiving of the email document,

wherein the at least one database further comprises image data from capture archiving of electronic document images from the at least one of a copy, print, and facsimile operation,

wherein the aforementioned steps are carried out transparent to the user and without further input from the user notwithstanding the single user input command,
wherein the aforementioned steps are carried out at substantially a time that the email document is transferred over the network

(*emphasis added*). Such limitations are not disclosed by *Freeman*.

As discussed of record, *Freeman* discloses a new model for operating systems that stores information according to a "time-ordered stream", instead of standard filename and file folder-based approaches (paragraph [0032]). A document stream has three main portions - "past, present, and future," where the "present" portion holds working documents saved to the system, and older documents that are still saved to the system after some amount of time enter the "past portion" where the documents are eventually archived (paragraph [0044]). This is very different from what is recited in Applicants' claims.

For example, Applicants' claim 20 recites that steps including generating electronic image data and archiving the generated image data are carried out at substantially a time that the email document is transferred over the network". As discussed, *Freeman* only archives documents that are in the system for some determined amount of time, and unless documents are saved to the system after that amount of time, those documents are not archived. *Freeman* thus does not automatically archive each such document, and does not archive documents at substantially the same time as the document (or a copy of a document) is received as recited in Applicants' claim 20. *Freeman* thus does not disclose these limitations of Applicants' claim 20.

Further, Applicants' claim 20 as amended recites "cause electronic image data to be generated for each received copy of an email document". *Freeman* does not disclose such a limitation. The Office Action states on page 3 that *Freeman* uses a clone operation that duplicates an existing document, and that uses a stream envelope that includes copies of document, and alleges that such limitations anticipate a captured image of the email document. Applicants respectfully disagree with the alleged equivalence as set forth in the Office Action. *Freeman* teaches an envelope that can include copies of documents, but there is no disclosure (or support set forth in the Office Action) that these are generated document images as recited in

Applicants' claim. If an email is received and a copy of that email is made in the same format, that is not the same as generating an image document in an image format (*i.e.*, a JPG), where the image document includes an image of the email document. For example, copying a text document to another text document, thus creating another instance of the text document, is not the same as generating an image based on the text document. A rejection under §102 requires that the limitation be expressly or inherently described in the reference in order for the reference to anticipate, and *Freeman* does not expressly or inherently describe generating an image for every received email document and storing the generated image for every email document.

Further, the Office Action appears to recognize on pages 3-4 that *Freeman* does not expressly describe image archiving of electronic document images "from the at least one of a copy, print, and facsimile operation", but instead states that "[s]ince the system in *Freeman* can [be] connected to different networking system[s], to different servers, computers, devices such as [a] printer, scanner, facsimile and multimedia devices, it can automatically captur[e] data for copy, print, or facsimile operations and automatically archive[e] an image". Since *Freeman* does not include such disclosure, it is respectfully submitted that, at best, the argument would be one for obviousness under §103 that since *Freeman* can connect to different networks, it would be obvious to capture such data for other devices. Such an argument still would not be correct, however, as *Freeman* does not discuss generating image documents to be stored for data such as facsimile data for every fax sent through a system, such that *Freeman* also cannot render such a claim obvious.

For at least these reasons, Applicants respectfully submit that *Freeman* does not disclose each element of the Applicants' claim 1 and the claims that depend therefrom. The other claims recite limitations that similarly are not disclosed by *Freeman* for reasons including at least some of those set forth above with respect to claim 1. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

II. Amendment to the Claims

Unless otherwise specified or addressed in the remarks section, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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